

Serial No. 09/974,750
Amendment A

IN THE CLAIMS:

Please consider the following set of pending claims 1-22, of which claims 1, 11-15 and 17 have been amended, as attached in clean form as well as in marked-up form showing changes in the amended claims relative to the previous version of the claims according to 37 C.F.R. §1.121(c)(3):

Clean Version of Pending Claims 1-22

1 (Amended). A kit comprising
a device for treating a tissue region,
a usage key card to be handled separate from the device comprising a storage
medium formatted to contain an identification code unique to the usage key card, the usage key
card being adapted to be read by a reader separate from the device to download the
identification code for processing by a controller, the controller including a first data state prior
to downloading of the identification code and a processing means for processing the
identification code and enabling operation of the device if the identification code correlates in a
pre-established manner with the first data state, the processing means operating, in response
to enabling operation of the device, to change the first data state to a second data state that
prevents subsequent operation of the device in response to downloading of the identification
code, and

packaging for containing the device and the usage key card.

2. A kit according to claim 1

wherein the usage key card comprises a floppy disk.

3. A kit according to claim 1

wherein the usage key card comprises a PC card.

4. A kit according to claim 1

wherein the usage key card comprises a magnetic card.

5. A kit according to claim 1

wherein the usage key card comprises flash memory.

6. A kit according to claim 1

wherein the storage medium is also formatted, when inserted into the reader, to
retain data generated by the controller during operation of the device.

7. A kit according to claim 6

wherein the data pertains to operating conditions of the device.

8. A kit according to claim 6

wherein the usage key card is adapted to be read by a reader to download the data
to a data processing device separate from the controller.

9. A kit according to claim 1

further including instructions contained in the packaging directing reading of the

usage key card by the reader to download the identification code to the controller for processing to enable or disable operation of the device according to prescribed criteria.

10. A kit according to claim 1

wherein the device applies radio frequency energy to the tissue region.

11 (Amended). A system for controlling use of a device for treating a tissue region comprising

a controller to control operation of the device,

a reader to download information to the controller,

a usage key card adapted to be handled separate from the device and comprising a storage medium formatted to contain an identification code unique to the usage key card that, upon reading by the reader, is downloaded to the controller, and

the controller including a first data state prior to downloading of the identification code and a processing means for processing the identification code and enabling operation of the device if the identification code correlates in a pre-established manner with the first data state, the processing means operating, in response to enabling operation of the device, to change the first data state to a second data state that prevents subsequent operation of the device in response to downloading of the identification code.

12 (Amended). A system according to claim 11

wherein the processing means causes the controller to create a table by registering unlike identification codes in memory as they are downloaded by the reader and to enable operation of the device when a new identification code is registered in the table.

13 (Amended). A system according to claim 12

wherein the processing means causes the controller to compare a given identification code downloaded by the reader to all identification codes registered in the table and to register the given identification code in the table when the given identification code does not match any identification code in the table.

14 (Amended). A system according to claim 13

wherein the processing means causes the controller to disable operation of the device when the given identification code matches an identification code in the table.

15 (Amended). A system according to claim 13

wherein the processing means causes the controller to enable operation of the device when the given identification code does not match any identification code in the table.

16. A system according to claim 11
wherein the device applies radio frequency energy to the tissue region.

17 (Amended). A method for controlling use of a device for treating a tissue region comprising the steps of

providing a kit containing the device and a usage key card adapted to be handled separate from the device and comprising a storage medium formatted to contain an identification code unique to the usage key card,

instructing reading of the usage key card by a reader separate from the device to download the identification code to a controller for the device, the controller having a first data state prior to downloading of the identification code,

causing the controller to process the identification code by pre-programmed rules to enable operation of the device if the identification code correlates with the first data state, and

changing, according to pre-programmed rules, the first data state to a second data state in response to enabling operation of the device, the second data state preventing a subsequent operation of the device in response to downloading of the identification code.

18. A method according to claim 17
wherein the pre-programmed rules cause the controller to create a table by registering unlike identification codes in memory as they are downloaded by the reader and to enable operation of the device when a new identification code is registered in the table.

19. A method according to claim 18
wherein the pre-programmed rules cause the controller to compare a given identification code downloaded by the reader to all identification codes registered in the table and to register the given identification code in the table when the given identification code does not match any identification code in the table.

20. A method according to claim 18
wherein the pre-programmed rules cause the controller to disable operation of the device when the given identification code matches an identification code in the table.

21. A method according to claim 18
wherein the pre-programmed rules cause the controller to enable operation of the device when the given identification code does not match any identification code in the table.

22. A method according to claim 17
wherein the device, during use, applies radio frequency energy to the tissue region.